

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JOY L.J. PRYOR,

Plaintiff,

v.

No. 14-cv-0701 SWS/SMV

**METROPOLITAN LIFE INSURANCE COMPANY;
WHOLE FOODS MARKET BENEFITS
ADMINISTRATIVE COMMITTEE;
WHOLE FOODS MARKET, INC.; and
WHOLE FOODS MARKET SERVICES, INC.;**

Defendants.

ORDER TO FILE RESPONSIVE PLEADING OR SHOW CAUSE

THIS MATTER is before the Court sua sponte. Plaintiff filed her First Amended Complaint in state court on August 1, 2014. [Doc. 1-1]. Defendant Metropolitan Life Insurance Company removed the action to this Court on August 8, 2014. [Doc. 1]. Defendant Whole Foods Market, Inc., filed a Motion to Dismiss [Doc. 8], which was denied on October 21, 2014 [Doc. 18]. Pursuant to Fed. R. Civ. P. 12(a)(4)(A), Defendant Whole Foods Market, Inc., had 14 days from the date that its motion was denied, or until November 4, 2014, to file a pleading responsive to the Complaint. However, none has been filed.

IT IS THEREFORE ORDERED that within ten days, or no later than **November 15, 2014**, Defendant Whole Foods Market, Inc., shall file a pleading responsive to the Complaint or otherwise show cause why default should not be entered against it.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge